

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re:

Lahl, David Brian

Debtor(s)

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§  
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Case No. 17-04923

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CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY  
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)

Elizabeth C Berg, Chapter 7 Trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: \$312,600.00

(Without deducting any secured claims)

Total Distributions to Claimants: \$25,393.61

Total Expenses of Administration: \$12,458.39

Assets Exempt: \$630,940.02

Claims Discharged

Without Payment: \$2,512,411.62

3) Total gross receipts of \$39,552.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$1,700.00 (see **Exhibit 2**), yielded net receipts of \$37,852.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from <b>Exhibit 3</b> )	\$290,027.00	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS:				
CHAPTER 7 ADMIN. FEES AND CHARGES (from <b>Exhibit 4</b> )	NA	\$12,458.39	\$12,458.39	\$12,458.39
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from <b>Exhibit 5</b> )	NA	\$0.00	\$0.00	\$0.00
PRIORITY UNSECURED CLAIMS (from <b>Exhibit 6</b> )	\$0.00	\$0.00	\$0.00	\$0.00
GENERAL UNSECURED CLAIMS (from <b>Exhibit 7</b> )	\$2,313,499.00	\$224,306.23	\$224,306.23	\$25,393.61
<b>TOTAL DISBURSEMENTS</b>	\$2,603,526.00	\$236,764.62	\$236,764.62	\$37,852.00

4) This case was originally filed under chapter 7 on 02/21/2017. The case was pending for 16 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated : 06/12/2018

By : /s/ Elizabeth C Berg  
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4 (a)(2) applies.

EXHIBITS TO  
FINAL ACCOUNT

**EXHIBIT 1 – GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE <sup>1</sup>	AMOUNT RECEIVED
2016 Tax Refund - State of Illinois	1224-000	\$5,656.00
2016 Tax Refund - IRS	1224-000	\$33,896.00
<b>TOTAL GROSS RECEIPTS</b>		<b>\$39,552.00</b>

<sup>1</sup> The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES**

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	AMOUNT PAID
David Lahl	Debtor's Exemption C	8100-002	\$1,700.00
<b>TOTAL FUNDS PAID TO DEBTOR &amp; THIRD PARTIES</b>			<b>\$1,700.00</b>

**EXHIBIT 3 – SECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	Brown CommercialGroup		\$10,000.00	NA	NA	\$0.00
	Huntington NationalBank		\$22,000.00	NA	NA	\$0.00
	Wells Fargo HomeMortgage		\$258,027.00	NA	NA	\$0.00
<b>TOTAL SECURED</b>			<b>\$290,027.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES AND CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Elizabeth C. Berg, Trustee	2100-000	NA	\$4,535.20	\$4,535.20	\$4,535.20
Baldi Berg, Ltd.	3120-000	NA	\$350.00	\$350.00	\$350.00
Elizabeth C. Berg, Trustee	2200-000	NA	\$9.77	\$9.77	\$9.77
Baldi Berg, Ltd.	3110-000	NA	\$7,266.50	\$7,266.50	\$7,266.50
Texas Capital Bank	2600-000	NA	\$296.92	\$296.92	\$296.92
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>		<b>NA</b>	<b>\$12,458.39</b>	<b>\$12,458.39</b>	<b>\$12,458.39</b>

**EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES AND CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NA	NA	NA	NA	NA	NA
<b>TOTAL PRIOR CHAPTER ADMIN FEES AND CHARGES</b>		NA	\$0.00	\$0.00	\$0.00

**EXHIBIT 6 – PRIORITY UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	NA	NA	NA	NA	NA	NA
<b>TOTAL PRIORITY UNSECURED CLAIMS</b>			\$0.00	\$0.00	\$0.00	\$0.00

**EXHIBIT 7 – GENERAL UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (FROM Form 6F)	CLAIMS ASSERTED (FROM Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
00003	James A. Gaffney	7200-000	NA	\$224,306.23	\$224,306.23	\$25,393.61
00002	Golden Eagle Community Bank	7100-000	NA	\$0.00	\$0.00	\$0.00
00001	Golden Eagle Community Bank	7100-000	NA	\$0.00	\$0.00	\$0.00
	Chase Card		\$1,344.00	NA	NA	\$0.00
	Chase Card		\$155.00	NA	NA	\$0.00
	Golden Eagle Bank		\$1,046,000.00	NA	NA	\$0.00
	Golden Eagle Bank		\$1,251,000.00	NA	NA	\$0.00
	Horizon Keystone Financial		\$15,000.00	NA	NA	\$0.00
	James Gaffney/Gafland, Ltd.		NA	NA	NA	\$0.00
<b>TOTAL GENERAL UNSECURED CLAIMS</b>			\$2,313,499.00	\$224,306.23	\$224,306.23	\$25,393.61

**FORM 1  
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT  
ASSET CASES**

**Case No: 17-04923**  
**Case Name: Lahl, David Brian**

**Judge: Janet S. Baer**

**Trustee Name: Elizabeth C Berg**  
**Date Filed (f) or Converted (c): 02/21/2017 (f)**  
**341(a) Meeting Date: 03/20/2017**  
**Claims Bar Date: 06/28/2017**

**For Period Ending: 06/12/2018**

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA) / Gross Value of Remaining Assets
1. 3206 Blackhawk Trail, St. Charles, IL	296,000.00	0.00		0.00	FA
2. Clothing of an Adult male	100.00	0.00		0.00	FA
3. Checking Chase Bank checking	1,000.00	0.00		0.00	FA
4. LVE Management, LLC Illinois LLC founded 11/11/2013 - 50% interest	0.00	0.00		0.00	FA
5. Level One Advisory Group, LLC Illinois LLC founded 3/1/2016 - 25% interest	0.00	0.00		0.00	FA
6. Black Coyote Properties, LLC Illinois LLC closed , no operations 100% interest	0.00	0.00		0.00	FA
7. SMJ Holdings, LLC Illiinois LLC Closed 12/31/2015 No operations - 100% interest	0.00	0.00		0.00	FA
8. Black & Green Madison, LLC Illinois LLC closed 12/31/2016 No operations - 66.67% interest	0.00	0.00		0.00	FA
9. Black & Green St. Charles Illinois LLC Closed 12/31/2015 - 50% interest	0.00	0.00		0.00	FA
10. JAG Crossroads, LLC Illinois LLC closed 9/30/2016 - 25% interest	0.00	0.00		0.00	FA
11. 4633 Verona Road, LLC Illinois LLC - 50% interest	0.00	0.00		0.00	FA
12. Fly Boy Properties, LLC - 100 % interest	0.00	0.00		0.00	FA
13. IRA Principal Securities IRA Account #: *3064	517,147.37	0.00		0.00	FA
14. IRA John Hancock Investments	91,792.65	0.00		0.00	FA
15. 2016 Ford Fusion	23,000.00	0.00		0.00	FA
16. 2013 Hyundai Tuscon	9,000.00	0.00		0.00	FA
17. 2008 Honda Accord	2,000.00	0.00		0.00	FA

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18. sofa, chairs. DR table and chairs, Kitchen table and chairs, 4 beds and associated bedroom furniture, misc. decorations and prints Kitchen equipment and tools, clocks and lamps. Location: 3206 Blackhawk Trail, Saint Charles IL 60174	1,000.00	0.00		0.00	FA
19. Three TVs	250.00	0.00		0.00	FA
20. Golf Clubs	50.00	0.00		0.00	FA
21. two Windows computers and printers,	500.00	0.00		0.00	FA
22. 2016 Tax Refund - IRS (u)	33,896.00	32,196.00		33,896.00	FA
23. 2016 Tax Refund - State of Illinois (u)	5,656.00	5,656.00		5,656.00	FA
<b>Gross Value of Remaining Assets</b>					
<b>TOTALS (Excluding Unknown Values)</b>	981,392.02	37,852.00		39,552.00	0.00

Re Prop. #22 Trustee made demand upon Debtor and recovered a turnover of \$13,896.00 representing a portion of the Debtor's 2016 IRS tax refund.

Trustee has initiated an adversary proceeding against the Dept. of Treasury seeking a turnover of the \$20,000.00, representing a portion of Debtor's 2016 tax refund, that was applied to 2017 estimated taxes. Adversary settled and dismissed and IRS turned over the \$20,000 balance.

Re Prop. #23 Trustee made demand upon and recovered from Debtor and State of Illinois a turnover of the Debtor's 2016 tax refund.

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

February 28, 2018: Trustee and USA reached an agreement whereby IRS agreed to turnover the \$20,000 2016 tax refund that was credited to the Debtor's 2017 tax liabilities. (Pursuant to a stipulation [adversary dkt #11], the Trustee, Debtor and USA acknowledged that the \$20,000 was property of the Estate and turned over to the Trustee) Thereafter, on 1/8/18, the adversary case was closed upon agreed order dismissing the case. Trustee consulted with her accountants and confirmed that no Estate tax return was required to be filed in this case. Trustee reviewed claims, including the Debtor's claimed exemption in the tax refund. Trustee paid the Debtor his allowed personal property exemption and prepared her TFR.

September 30, 2017: Trustee recovered tax refunds of \$19,000 and filed adversary proceeding against USA to recover improper transfer of remaining 2016 refund (\$20,000) to USA as credit versus Debtor's 2017 tax liabilities. Government has acknowledged liability and is working out logistics of turnover with IRS; Next Status hearing on adversary proceeding scheduled for December 1, 2017.

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**Initial Projected Date of Final Report(TFR) : 06/30/2018**

**Current Projected Date of Final Report(TFR) : 06/30/2018**

**Trustee's Signature**    /s/Elizabeth C Berg  
Elizabeth C Berg  
20 N. Clark St., Suite 200  
Chicago, IL 60602  
Phone : (312) 726-8150

**Date:** 06/12/2018

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 17-04923

Case Name: Lahl, David Brian

Trustee Name: Elizabeth C Berg

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*5260 Checking Account

Taxpayer ID No: \*\*-\*\*\*5026

Blanket bond (per case limit): 5,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

1	2	3	4		5	6	7
Transaction Date	Check or [Refer#]	Paid To / Received From	Description of Transaction	Uniform Trans. Code	Deposits(\$)	Disbursements(\$)	Account/ CD Balance(\$)
04/18/2017	[22]	David B. Lahl 3206 Blackhawk Trail St. Charles, IL 60174	Turnover of 2016 IRS Tax Refund	1224-000	13,896.00		13,896.00
04/20/2017	[23]	David B. Lahl 3206 Blackhawk Trail St. Charles, IL 60174	Turnover of 2016 State Tax Refund	1224-000	2,656.00		16,552.00
05/03/2017		Texas Capital Bank Treasury Management Operations 2350 Lakeside Blvd Richardson, TX 75082	Bank Service Fee	2600-000		15.00	16,537.00
06/05/2017		Texas Capital Bank Treasury Management Operations 2350 Lakeside Blvd Richardson, TX 75082	Bank Service Fee	2600-000		23.11	16,513.89
06/12/2017	[23]	State of Illinois Illinois Department of Revenue Susana A. Mendoza, Comptroller IL	Turnover of 2016 State Income Tax Refund	1224-000	3,000.00		19,513.89
07/03/2017		Texas Capital Bank Treasury Management Operations 2350 Lakeside Blvd Richardson, TX 75082	Bank Service Fee	2600-000		25.73	19,488.16

Page Subtotals

19,552.00

63.84



ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 17-04923

Case Name: Lahl, David Brian

Trustee Name: Elizabeth C Berg

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*5260 Checking Account

Taxpayer ID No: \*\*-\*\*\*5026

Blanket bond (per case limit): 5,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

1	2	3	4		5	6	7
Transaction Date	Check or [Refer#]	Paid To / Received From	Description of Transaction	Uniform Trans. Code	Deposits(\$)	Disbursements(\$)	Account/ CD Balance(\$)
08/03/2017		Texas Capital Bank Treasury Management Operations 2350 Lakeside Blvd Richardson, TX 75082	Bank Service Fee	2600-000		27.23	19,460.93
09/05/2017		Texas Capital Bank Treasury Management Operations 2350 Lakeside Blvd Richardson, TX 75082	Bank Service Fee	2600-000		27.19	19,433.74
10/04/2017		Texas Capital Bank Treasury Management Operations 2350 Lakeside Blvd Richardson, TX 75082	Bank Service Fee	2600-000		27.16	19,406.58
11/03/2017		Texas Capital Bank Treasury Management Operations 2350 Lakeside Blvd Richardson, TX 75082	Bank Service Fee	2600-000		27.12	19,379.46
12/04/2017		Texas Capital Bank Treasury Management Operations 2350 Lakeside Blvd Richardson, TX 75082	Bank Service Fee	2600-000		27.08	19,352.38
12/15/2017	[22]	United States Treasury 4241 NE 34th Street Kansas City, MO 64117	Balance of Debtor's 2016 IRS tax refund turned over pursuant to agreement (see stipulation dkt #11 in adversary proceeding 17-A-361)	1224-000	20,000.00		39,352.38

Page Subtotals

20,000.00

135.78

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

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Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*5260 Checking Account

Taxpayer ID No: \*\*-\*\*\*5026

Blanket bond (per case limit): 5,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

1	2	3	4		5	6	7
Transaction Date	Check or [Refer#]	Paid To / Received From	Description of Transaction	Uniform Trans. Code	Deposits(\$)	Disbursements(\$)	Account/ CD Balance(\$)
01/03/2018		Texas Capital Bank Treasury Management Operations 2350 Lakeside Blvd Richardson, TX 75082	Bank Service Fee	2600-000		42.37	39,310.01
02/05/2018	51001	David Lahl PO Box 4110 Saint Charles, IL 60174	Debtor's Exemption Claimed in 2016 Federal Tax Refund	8100-002		1,700.00	37,610.01
02/05/2018		Texas Capital Bank Treasury Management Operations 2350 Lakeside Blvd Richardson, TX 75082	Bank Service Fee	2600-000		54.93	37,555.08
04/24/2018	51002	Elizabeth C. Berg, Trustee 20 N. Clark Street Suite 200 Chicago, IL 60602	Trustee's Compensation	2100-000		4,535.20	33,019.88
04/24/2018	51003	Elizabeth C. Berg, Trustee 20 N. Clark Street Suite 200 Chicago, IL 60602	Trustee Expenses	2200-000		9.77	33,010.11
04/24/2018	51004	Baldi Berg, Ltd. 20 N. Clark St., Suite 200 Chicago, IL 60602	Trustee's Attorneys; Fees	3110-000		7,266.50	25,743.61

Page Subtotals

0.00

13,608.77

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

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Trustee Name: Elizabeth C Berg

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*5260 Checking Account

Taxpayer ID No: \*\*-\*\*\*5026

Blanket bond (per case limit): 5,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

1	2	3	4		5	6	7
Transaction Date	Check or [Refer#]	Paid To / Received From	Description of Transaction	Uniform Trans. Code	Deposits(\$)	Disbursements(\$)	Account/ CD Balance(\$)
04/24/2018	51005	Baldi Berg, Ltd. 20 N. Clark St., Suite 200 Chicago, IL 60602	Trustee's Attorneys' Expenses	3120-000		350.00	25,393.61
04/24/2018	51006	James A. Gaffney c/o Patrick M. Griffin Griffin Williams LLP 21 N 4th St Geneva, IL 60134	Disb of 11.32% to Claim #00003	7200-000		25,393.61	0.00

Page Subtotals 0.00 25,743.61

<b>COLUMN TOTALS</b>	39,552.00	39,552.00
Less: Bank Transfer/CD's	0.00	0.00
<b>SUBTOTALS</b>	39,552.00	39,552.00
Less: Payments to Debtors		1,700.00
<b>Net</b>	39,552.00	37,852.00

All Accounts Gross Receipts:	39,552.00
All Accounts Gross Disbursements:	39,552.00
All Accounts Net:	0.00

TOTAL-ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
*****5260 Checking Account	39,552.00	39,552.00	
<b>Net Totals</b>	39,552.00	39,552.00	0.00